Supreme Court, U.S.
FILED
JAN 5
OFFICE

NO.92-954

IN THE
SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1992

GWENDOLYN L. KING
aka GWENDOLYN L. GREENE aka GWEN GREENE

Petitioner

v.

HON. BARRY RUSSELL, HON. PETER ELLIOTT,
U.S. BANKRUPTCY COURT CENTRAL CALIFORNIA,
JACK WAGNER, BERNADINE GORDON, USBC C CA CLERKS,
ELSIE DAVIS, USBC C CA CHAPTER 13 TRUSTEE,
JAMES JOSEPH, ESQ., USBC C CA CHAPTER 7 TRUSTEE,

HON. MANUEL REAL,
U.S. DISTRICT COURT CENTRAL CALIFORNIA,

CAPRICE L. COLLINS, ESQ., KAREN A. RAGLAND, ESQ.,
PHAEBRA CROFT, DELOY EDWARDS, REALTOR,

LONNIE & SIMA KAPLAN, HUSBAND & WIFE,
MARCUS & EDNA TODD, HUSBAND & WIFE,

GREAT WESTERN SAVINGS & LOAN, INC.,
A FEDERAL SAVINGS & LOAN, AND IT'S AGENTS,

THE STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES, CITY OF LOS ANGELES,
AND THEIR AGENCIES, AGENTS, ET AL

Respondents

ON WRIT OF CERTIORARI

TO THE U.S. COURT OF APPEALS FOR THE

NINTH CIRCUIT

PETITIONER'S SUPPLEMENTAL BRIEF

GWENDOLYN L. KING, ESQ.
PETITIONER In Pro Se
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3003 North Central Avenue
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28

January 05, 1993

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OCT 30, 1985 FED DEFENDANTS RESPONSE TO PLAINTIFF'S MOTION TO STRIKE [OCT 04, 1985 "28 USC 1391(b)(e) MOTION" FOR CHANGE OF VENUE TO USDC C CA, filed Oct 04, 1985] dated Oct 30, 1985, /s/Paul R. Corradini, Asst. U.S. Attorney, STEPHEN M. McNAMEE, U.S. Attorney A(SB)-8

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PETITION FOR WRIT OF CERTIORARI

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LONNIE & SIMA KAPLAN, HUSBAND & WIFE,

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Respondents

ON WRIT OF CERTIORARI TO THE

UNITED STATES COURT OF APPEALS FOR THE

NINTH CIRCUIT

PETITIONER'S SUPPLEMENTAL BRIEF

To the Honorable Chief Justice and Associate Justices of the Supreme Court of the United States:

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GWENDOLYN L. KING aka GWENDOLYN L. GREENE aka GWEN GREENE, Petitioner In Pro Se herein **("PETITIONER")**, pursuant to Supreme Court Rules **15.7, 33.3d, 29.5(c)**, hereby and herein submits **PETITIONER'S SUPPLEMENTAL BRIEF** to the **PETITION FOR WRIT OF CERTIORARI** in the above and numbered **DEC 03, 1992 US SC CASE NO.92-954, King aka Greene v Russell, Elliott, ART.I Bankruptcy Consultant (Administrative Law) Judges, USBC C CA (DEC 27, 29, 1982, OCT 25, 1983) et al 963 F 2d 1301 (CA9 Ariz MAY 11, 1992).**

PREFATORY STATEMENT

PETITITIONER'S SUPPLEMENTAL BRIEF, further, is submitted pursuant to **Fusari v Steinberg (1974) 419 U.S. 379, to wit: at 391**

> **"This Court must rely on counsel to present issues fully and fairly, and counsel have a continuing duty to inform the Court of any development which may conceivably affect the outcome" of a Case.**

And, PETITIONER herein would rely on Muller v Oregon (1908) 208 U.S. 412, 421, for judicial cognizance of matters of general knowledge presented herein.

RESPONDENTS Deloy Edwards, Realtor, Marcus & Edna Todd, were duly and personally served herein on November 27, 1992, GREAT WESTERN SAVINGS & LOAN and it's Agents, on December 02, 1992 by service on their counsel, POLESE, HINER & NOLAN, duly and personally, and all other RESPONDENTS or their counsel, were duly served by mail on December 02, 1992. To date, January 05, 1993, PETITIONER has received no BRIEF(S) IN OPPOSITION to the PETITION FOR WRIT OF CERTIORARI, filed herein on DEC 03, 1992.

On December 30, 1992, PETITIONER received a copy of a letter from RESPONDENT(S), State of California, Governor Pete Wilson, Attorney General Dan Lungren, sued in their official and individual capacities herein, stating that the PETITION had "no merit"

and that the three copies of the PETITION mailed First Class on DEC 02, 1992 were received by the STATE on DEC 07, 1992, and waiving their right to file a brief in opposition "unless otherwise directed by the court." dated DEC 28, 1992, DANIEL E. LUNGREN, Cal Attorney General, By /s/Daniel G. Stone, without copy served on the Solicitor General according to the DECLARATION OF SERVICE BY MAIL, dated DEC 28, 1992, /s/ Kathryn Welch. A copy of said DEC 28, 1992 letter /s/Daniel G. Stone, Asst. AG appears in the APPENDIX ["A(SB)"] A(SB)-1 annexed hereto, as is said DECLARATION.

By return receipt of CERTIFIED MAIL NO. P-401-809-426, the Solicitor General, USA received the three copies of the PETITION on DEC 07, 1992, and to date, JAN 05, 1992, PETITIONER has not received a BRIEF IN OPPOSITION from the FED RESPONDENTS, or any NON-FED RESPONDENTS. If the Docket herein reflects otherwise, PETITIONER would resp-

ectfully request the Court by NOTICE to allow PETITIONER ten (10) days to serve and file PETITIONER'S REPLY BRIEF pursuant to Supreme Court Rules 15.6, 33.3c, 29.5(c).

INTERVENING MATTER(S)

The following are presented herein as intervening matters "which may conceivably affect the outcome" of the instant Case:

(1) The obeyance of the USDC C CA to the Mandate of this Suoreme Court's JUNE 15, 1992 Decision in U.S. v [Dr.] Humberto Alvarez-Machain (CA9 Cal 1991) 946 F 2d 1466 (U.S.) cert granted US SC NO.91-712 60 LW 4523, including the Case chronology and venue of trial -- in contrast to the Mandate of this Supreme Court's DEC 24, 1982 Decision in Northern Pipeline v Marathon (DEC 24, 1992) 102 S Ct 2858, 2867, 2867, 2870, 2871, 2880 n.40, 2882 herein the instant Case, US SC NO.92-954.

(2) The substantive "response" of the STATE RESPONDENTS outside of Supreme Court

Rules 15.1, 15.2, 33.3b, 29.4(a) that the DEC 03, 1992 PETITION FOR WRIT OF CERTIORARI herein, to wit:

> "...In our view [STATE, GOVERNOR, AG, sued in their official and individual capacities in the 1st A/C] the petition's lack of merit is amply demonstrated in the May 11,1992 published per curiam decision below (King v Russell 983 F 2d 1301 (9th Cir 1992) [their citation], a copy of which is appended to the plaintiff's petition for writ of certiorari." (A(SB)-3) [dated DEC 28,1992]

without procedural opportunity for PETITIONER to properly REPLY except herein PETITIONER'S SUPPLEMENTAL BRIEF -- due to Supreme Court Rule 15.6, the Court could well consider this matter on January 08, 1993. Mullane v Central Hanover Bank & Trust Co. (1950) 339 U.S. 306, 314, 315; 5th, 14th Amendments, U.S. Constitution.

(3) For the reason that the **STATE RESPONDENT(S)** claim they did not receive the three copies of the PETITION FOR WRIT OF CERTIORARI, served First Class mail on DEC 02, 1992 -- until DEC 07, 1992 -- all NON-FED RESPONDENTS in California, CAPRICE L. COLLINS, ESQ., KAREN A. RAGLAND, ESQ., PHAEBRA CROFT, LONNIE & SIMA KAPLAN, COUNTY OF LOS ANGELES and it's Agencies/Agents, CITY OF LOS ANGELES and it's Agencies/Agents, could claim the same -- and all could serve, and file **RESPONDENT(S) BRIEF(S) IN OPPOSITION** on January 06, 1993, including the FED RESPONDENTS without PETITIONER having time before January 08, 1993 to serve and file a **PETITIONER'S REPLY BRIEF**, pursuant to Supreme Court Rule 15.6 (A(SB)-3) **Mullane**, supra.

All of the hereinabove described intervening maters (1)(2)(3) are developments which may conceivably affect this Case.

ARGUMENT

1. The June 15, 1992 Decision Of The International Law Case, U.S. v [Dr.] Humberto Alvarez-Machain, 60 LW 4523, And The Dec 01, 1992 Commencement Of His Trial In The USDC C CA, In Effect Establishes "Forum Conveniens" of Plaintiff In Matters Of International Law, Which Applies To Bankruptcy Laws As International In Scope "Contacts With The U.S."

The chronology of U.S. v [Dr.] Humberto Alvarez-Machain, supra, is as follows:

On FEB 07, 1985, U.S. Drug Agent Enrique Camarena was kidnapped outside the U.S. Consulate, a federal enclave, in Guadalajara, Mexico.

On MAR 05, 1985, the bodies of Camarena, and his pilot were found outside of Guadalajara, Mexico.

On APR 03, 1990 Dr. Alvarez-Machain was kidnapped in Guadalajara, Mexico, by U.S. paid bounty hunters on U.S. charges that he

participated in the murders.

On JUNE 15, 1992, this Court ruled that notwithstanding an Extradition Treaty between the U.S. and Mexico which presumably forbade the kidnapping of Dr. Alvarez-Machain, the U.S. may kidnap Foreign nationals, bring them to the jurisdiction and venue of "a [ANY] USDC" and prosecute them for "violation of the...laws of the United States." (PET. pp.i, ii, iii, iv, v, vi, vii, viii, ix, x, xi, xii, 7, 43, 45, 56, 60, 1-A through 12-A, inclusive, 13-A thr-49-A, inclusive, 54-A, 55-A, 56-A through 87-A, inclusive.)

On DEC 01, 1992, in the USDC C CA, the Mandate of JUNE 15, 1992, above, was obeyed, and Dr. Alvarez-Machain's trial began in the USDC C CA though he was originally brought to El Paso, Texas, and Camarena resided in other than Los Angeles County.

On DEC 14, 1992, Dr. Alvarez-Machain was acquitted for "lack of evidence" before his

Case was presented to a jury in the USDC C CA -- which Case was and still is under intense media scrutiny worldwide. U.S. v [Dr.] Alvarez-Machain (JUNE 15, 1992) 60 LW at 45-32; USA TODAY, Tuesday, DEC 15, 1992, p.3A.

Like U.S. Bankruptcy laws, FEDERAL RULES OF BANKRUPTCY, PART VII ADVERSARY PROCEEDINGS, BNKR RULES 6009, 7001, 7003, 7004(b)(d)(f) (PET. pp.i, 13, 16, 17, 22 through 34, inclusive, 41 through 53, inclusive, 56 through 60, inclusive, 87-A.), nationwide jurisdiction under Alvarez-Machain, supra, -- necessarily includes interstate Venue and what the English courts have long called "forum conveniens", and is applicable in the instant Case. Maharenee of Baroda v Wildenstein (1972) 2 All E.R. 689, 693 through 698, inclusive; Worldwide Volkswagen Corp. v Woodson (1980) 444 U.S. 286, 292, 293; Re Harlow Properties (BAP9 Wash 1985) 56 BR 794; S.R.A., Inc. v Minnesota (1972) 327 U.S. 558, 562; 28 USC 2075.

2. The Substantive "Response" Of The State Defendants, Sued Both In Their Official And Individual Capacities, Violates S Ct Rules 15.1, 15.2, 33.3b, 29.4(a), DEC 28, 1992, By Daniel E. Lungren, Daniel G. Stone, Cal AG's (A(SB)-1)Denies Petitioner Procedural "Due Process" of the 5th Amendment Of The U.S. Constitution Herein The Petition For Writ Of Certiorari

The STATE Respondents, sued herein the instant Case, King aka Greene v Russell, Elliott, USBC C CA (DEC 27, 28, 1982, OCT 25, 1983) et al, supra, in their official and individual capacities, allegedly have filed with the Supreme Court, a substantive "RESPONSE" to PETITIONER'S Petition for Writ of Certiorari, verbatim hereinabove page 7, dated DEC 28, 1992, claiming they did not receive the three copies of said PETITION, Mailed First Class mail on DEC 02, 1992 -- until DEC 07, 1992 -- and the same could

be "claimed" by the following NON-FED RESPONDENTS: CAPRICE L. COLLINS, ESQ., KAREN A. RAGLAND, ESQ., PHAEBRA CROFT, LONNIE & SIMA KAPLAN, COUNTY OF LOS ANGELES and it's Agencies/Agents, CITY OF LOS ANGELES and it's Agencies/Agents; and legitimately claimed by the FED RESPONDENTS.

In effect, under the hereinabove facts and circumstances, the above NON-FED and FED Respondents could have until JAN 07, 1993 to serve and file BRIEF(S) IN OPPOSITION to the DEC 03, 1992 PETITION FOR WRIT OF CERTIORARI, Supreme Court Rule15.2 -- and the Clerk of the Supreme Court pursuant to Supreme Court Rule 15.6 could conceivably distribute said PETITION AND BRIEF(S) on JAN 08, 1993, pursuant to Supreme Court Rule 15.6, to wit:

> "15.6 A reply brief addressed to arguments first raised in the brief in opposition may be filed by any petitioner, but distribution and consideration by the Court...will not be

delayed pending its [REPLY BRIEF'S] filing. Forty copies...shall be filed."

Nothwithstanding Supreme Court Rule 15.6 and the power, authority, of the Supreme Court to make such permissive Rule, which power, authority, PETITIONER does not challenge herein, PETITIONER would respectfully request the Court to consider the conflict between Supreme Court Rule 15.6, above, and Supreme Court Rule 28.2, to wit:

"28.2 The petitioner or appellant is entitled to open and conclude the argument..."

For the foregoing reasons, 28 USC Supreme Court Rules 15.1, 15.2, 33.3b, 29.4(a), 15.6, 28.2, PETITIONER would respectfully respectfully request the Court to apply it's Decision in Mullane, supra, later reiterated in Schroeder v City of New YorK (1962), 371 U.S. 208, to wit:

"As was emphasized in Mullane...corollary to one of the most fundamental

requisites of due process -- [is] the right to be heard. 'This right ...has little reality or worth unless one is informed that the matter is pending and can choose for himself whether to appear or default, acquiesce or contest' [Mullane] 339 U.S. at 314 [citation in text.]"371 U.S. at 212.

2.a The DEC 28, 1992 Substantive "Response" By The State Defendants -- "The Petition's [for Writ of Certiorari] Lack Of Merit Is Amply Demonstrated In The May 11, 1992 Published Per Curiam Decision Below..",If Adopted By The Court Would Invalidate The Supreme Court Decisions Cited In The Petition, Each And All, Some 56 U.S. Supreme Court Cases

Reason and logic should would defy the above post hoc, ergo propter hoc "response"

of STATE Respondents. Further, the "law of the Case" which the Ninth Circuit did not follow, as appears in the PETITION FOR WRIT OF CERTIORARI, page 7 -- is ample reason for this Court to consider the some 56 U.S. Supreme Court Cases therein, and REVERSE the May 11, 1992 Per Curiam Decision below in the instant Case. Northern Pipeline, supra; King et al v California et al (March 07, 1986) 784 F 2d 910,912¶1, supra; Bradley v Fisher (1871) 13 Wall 335, 351, 356, Chevron Oil Co. v Huson (1971) 404 U. S. 97, 106, 147; Camp v Gress (1919) 250 U. S. 308; Moore v Bay (1931) 284 U.S. 4; Ex parte Young (1908) 209 U.S. 123; -- and Hafer v Melo (U.S. 1991) 112 S Ct 358; Parden v Terminal R.R. (U.S. 1964) 377 U.S. 184 rhrg den 377 U.S. 1010; 42 USC 1986 inaction Schimman v Frank (1980) 633 F 2d 468.

2.b All Respondents Herein Who Are "Officers" Of The Court, Have A Duty To Inform This Supreme Court That On

OCT 04, 1985, The FED Respondents Did Not Serve And File A FRCP 12 (b) MOTION TO DIMISS, Nor On Any Other Date, Pursuant To Fusari v Steinberg, supra, Or In The Alternative, The Attorney General, USA Should Forthwith Investigate That Finding In the May 11, 1992 Per Curiam Opinion, King aka Greene v Russell, et al, 983 F 2d 1301 (CA9 Ariz MAY 11, 1992) To Prevent A Fraud Upon This Supreme Court

The "28 USC 1391(e)" MOTION TO CHANGE VENUE, OCT 04, 1985, -- was and is in the possession of the RESPONDENTS herein and/or their Counsel, and appears on the Docket Sheet as C.D. no.52, and the same appears herein in the annexed A(SB)-5.

Each and all "Officers" of the Court herein, whether or not they "appear" herein, are professionally and ethically bound to inform this Supreme Court of the fore-

going "clearly erroneus" and prejudicial finding of fact and/or conclusion of Law in the MAY 11, 1992 Per Curiam Opinion (PET.pp. 6-A, 7-A, 12-A, 87-A) King aka Greene v Russell et al (CA9 Ariz MAY 11,1992) 983 F 2d 1301; King v California et al, supra; Dayton Bd. of Ed. v Brinkman (1977) 433 U.S. 406.

For the foregoing reasons, laws of the United States, inaction under ARGUMENT 2.b by the "Officers" of the Court herein, with actual scienter of the above described facts, the outcome of this Case could be affected.

3. The NON-FED Respondents Should Not Be Allowed To Claim That They Too, The COUNTY, CITY, CAPRICE L. COLLINS, ESQ., KAREN A. RAGLAND, ESQ.,PHAEBRA CROFT, LONNIE & SIMA KAPLAN,Received The Three Copies Of The Petition For Writ Of Certiorari On DEC 07, 1992, And ALL FAILURE To Timely Serve And File Brief(s) In Opposition Should Be Construed As A Consent To Granting A Writ Herein

PETITIONER refers to each and every paragraph, citation, authority, hereinabove PREFATORY STATEMENT, ARGUMENT 1, 2, 2.a, 2.b, pages 3 through 18, inclusive, and incorporates the same by reference as though fully set forth at this point.

Suprisingly, PETITIONER received the DEC 28, 1992 substantive "Response" from the STATE Respondents (A(SB)-1 herein.) on DEC 30, 1992, yet said STATE Respondents "claim" a post time of some five (5) days after DEC 02, 1992 to have received the three copies of the Petition for Writ of Certiorari -- nothwithstanding, the Service as to all NON-FED Respondents was complete upon mailing with possibly allowance of three (3) days pursuant to FRAP Rule 26(c) giving the STATE, COUNTY, CITY, etc. until and including JAN 07, 1993 pursuant to FRAP Rule 26(c), Supreme Court Rule 30 -- which clearly requires at least ten (10) days for PETITIONER to serve and file a REPLY BRIEF herein.

4. Under The 1957 Treaty of Rome, U.S. ratified, Citizens Of All Signatories Must Have The Same "Due Process" As Regards Deprivation Of Their Life, Liberty, Property, And Petitioner Can Not Legally Receive, Less Than Dr. Alvarez-Machain Under Northern Pipeline, supra; Bradley v Fisher, supra; Chevron Oil Co., supra; Camp v Gress, supra; Moore v Bay, supra; Ex parte Young, supra; Hafer, supra; Shapiro v Thompson (1969) 394 U.S. 618; Re Chase & Sanborn (1988) 835 F 2d 1341 (U.S.) cert granted ___U.S.___; Hagner v U.S. (D.C Cir 1931) 54 F 2d 446, aff'd 285 U.S. 427; Libby, McNeill & Libby v City Nat'l Bank (CA9 1978) 592 F 2d 504, 510; In re Jones (1935) 10 F Sup 165.

CONCLUSION

For the foregoing reasons, laws, the DEC 03, 1992 Petition for Writ of Certiorari should be granted. Respectfully submitted, January 05, 1993. Gwendolyn L. King

NO.92-954

IN THE
SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1992

GWENDOLYN L. KING
aka GWENDOLYN L. GREENE aka GWEN GREENE

Petitioner

v.

HON. BARRY RUSSELL, HON. PETER ELLIOTT,
U.S. BANKRUPTCY COURT CENTRAL CALIFORNIA,
JACK WAGNER, BERNADINE GORDON, USBC C CA CLERKS,
ELSIE DAVIS, USBC C CA CHAPTER 13 TRUSTEE,
JAMES JOSEPH, ESQ., USBC C CA CHAPTER 7 TRUSTEE,

HON. MANUEL REAL,
U.S. DISTRICT COURT CENTRAL CALIFORNIA,

CAPRICE L. COLLINS, ESQ., KAREN A. RAGLAND, ESQ.,
PHAEBRA CROFT, DELOY EDWARDS, REALTOR,

LONNIE & SIMA KAPLAN, HUSBAND & WIFE,
MARCUS & EDNA TODD, HUSBAND & WIFE,

GREAT WESTERN SAVINGS & LOAN, INC.,
A FEDERAL SAVINGS & LOAN, AND IT'S AGENTS,

THE STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES, CITY OF LOS ANGELES,
AND THEIR AGENCIES, AGENTS, ET AL

Respondents

ON WRIT OF CERTIORARI

TO THE U.S. COURT OF APPEALS FOR THE

NINTH CIRCUIT

PETITIONER'S SUPPLEMENTAL BRIEF
APPENDIX

GWENDOLYN L. KING, ESQ.
PETITIONER In Pro Se
c/o CENTRAL AVE POSTAL CENTER
3003 North Central Avenue
Suite 121-158
Phoenix Arizona 85012

January 05, 1993

DANIEL E. LUNGREN
Attorney General

[GREAT SEAL]
[of]
[THE STATE OF CALIFORNIA]
DEPARTMENT OF JUSTICE

December 28, 1992

Joseph S. Spaniol, Jr.
Clerk of the Court
Supreme Court of the United States
One First Street, N.E.
Washington, D.C. 20543

1515 "K" St.
Suite 511
P.O. Box 944255
SACRAMENTO CA
94244-2550

Re: Gwendolyn L. King v
v. Hon. Barry Russell, et al
U.S. Supreme Court No.92-954

Dear Mr. Spaniol:

Enclosed please find a completed Appearance Form, setting forth my appearance as counsel of record in this matter for the State of California and the other "State Defendants" named as respondents in the petition for writ of certiorari: Governor Pete Wilson and Attorney General Daniel E.

Lungren. These parties were also named as defendants in the proceedings below.

My office received copies of the petition for writ of certiorari in this case on December 07, 1992. In our view, the petition's lack of merit is amply demonstrated in the May 11 1992, published per curiam decision below (King v Russell, 963 F 2d 1301 (9th Cir. 1992), a copy of which is appended to the plaintiff's petition for writ of certiorari. [SUBSTANTIVE "RESPONSE" Post Hoc, Ergo Propter Hoc (L. "after this, therefore because of this." sophistry)] Accordingly, the respondent (sic) "State Defendants" named above hereby waive their right to file a brief in opposition to the petition unless otherwise directed by the Court.

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. . . . .

. . . . .

APPENDIX (SB)

Respectfully submitted,

DANIEL E. LUNGREN

Attorney General

/s/Daniel G. Stone

DANIEL G. STONE

Deputy Attorney General

DGS:kaw

Enclosure

cc: Gwendolyn L. King

All counseL

oOo

DECLARATION OF SERVICE BY MAIL

Case Name: Gwendolyn L. King

v The Hon. Barry Russell et al

Court No. U.S. Supreme Court No.92954 (sic)

Appeal from the Court of Appeals

for the Ninth Circuit No.CIV90-

16602

I declare:

. . .On December 28, 1992, I served the attached STATE DEFENDANTS' LETTER WAIVING OPPOSITION in said cause...at Sacramento,CA

addressed as follows:

SEE ATTACHED LIST

[ATTACHED LIST (NAMES ONLY)]

Hon. Paul G. Rosenblatt, District Judge

Gwendolyn L. King

James P. Loss, Esq.

Mark Arkfeld, Esq., U.S. Attorneys

Chase, Rotchford, Drukker & Bogust

James A. Daly, Esq. [COUNTY OF L.A.]

Caprice L. Collins, Esq. [COLLINS, RAGLAND]

Karen A. Ragland, Esq. [LONNIE&SIMA KAPLAN]

James F. Polese, Esq. [GW S&L, INC.]

James K. Hahn, Esq.

Mary Evelyn House, Esq.

Linda K. Leftkowitz, Esq. City Attorney[s]

Theresa A. Gobaldon, Esq. [KAPLANS]

Clerk of Court, Ninth Circuit

I declare under penalty of perjury the foregoing is true and correct...Dec 28,1992.

Kathryn Welch /s/Kathryn Welch

oOo

APPENDIX (SB)

FILED OCT 04, 1985 (C.D. no.52)

STEPHEN M. MCNAMEE

United States Attorney

PAUL R. CORRADINI

Asst. U.S. Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

GWENDOLYN L. KING, Plaintiff, v. HON. BARRY RUSSELL, et al, Defendants.

CIV85-1698PHX-PGR

MOTION FOR CHANGE OF VENUE

28 USC §1391

The defendants, Hon. Barry Russell, US BC C CA, Elsie Davis, Jack Wagner, Bernadine Gordon, Hon. Peter Elliott, and James Joseph, in their official and individual capacities, (hereinafter referred to as "federal defendants"), appearing specially and not waiving any defenses they may have under Rule 12(h), FRCP, hereby move this Court, pursuant to 28 USC §§1391(b)

and (e) to transfer this case to the Central District of California for all further proceedings.

This motion is based on the attached Memorandum of Points and Authorities.

[PAGE 2] Respectfully submitted this 4th day of October, 1985.

STEPHEN M. McNAMEE
United States Attorney
/s/Paul R. Corradini
PAUL R. CORRADINI
Asst. U.S. Attorney

[PAGE 3] MEMO OF POINTS AND AUTHORITIES

28 USC §1391 (b) provides:

[STATUTE OMITTED.]

...

[PAGE 4] 28 USC 1391 (e) provides in part:

[STATUTE OMITTED.]

...

Dated this 4 day of October, 1985

STEPHEN M. McNAMEE /s/Paul R. Corradini

APPENDIX (SB)

[PAGE 5] Copy of the foregoing mailed this

4 day of October, 1985, to:

Gwendolyn L. King, Pro Se

3003 North Central Avenue

Suite 120 (sic) -158 [Correctis"121-158".]

Phoenix, Arizona 85012

Caprice L. Collins

5757 West Century Blvd, Suite 700

Los Angeles, California 90045

/s/Paul R. Corradini

PAUL R. CORRADINI

Asst. U.S. Attorney

oOo

APPENDIX (SB)

FILED OCT 30, 1985 (C.D. no.107)

STEPHEN M. McNAMEE
United States Attorney
PAUL R. CORRADINI
Asst. U.S. Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

GWENDOLYN L. KING,	CIV85-1698PHX-PGR
Plaintiff,	FED DEFENDANTS'
v.	RESPONSE TO PLAIN-
HON. BARRY RUSSELL,	TIFF'S MOTION TO
et al, Defendants.	STRIKE

The defendants Hon. Barry Russell, USBC C CA, Elsie Davis, Jack Wagner, Bernadine Gordon, Hon. Peter Elliott and James Joseph, (hereinafter referred to as the "federal defendants") respectfully request this Court to deny Plaintiff's Motion to Strike the Federal Defendant's (sic)[28 USC §1391 (b)(e)] Motion for Change of Venue filed in this matter on October 4, 1985.

APPENDIX (SB)

[PAGE 1 Continued] This opposition is based upon the attached Memorandum of Points and Authorities. [OMITTED herein.]

Respectfully submitted this 30 day of October, 1985.

STEPHEN M. McNAMEE

United States Attorney

/s/Paul R. Corradini

PAUL R. CORRADINI

Asst. U.S. Attorney

oOo

APPENDIX (SB)

FILED OCT 09, 1985 (C.D. no.61)

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

GWENDOLYN L. KING — CIV85-1698PHX-PGR

Plaintiff, — ORDER ENLARGING

v. — TIME FOR CERTAIN

HON. BARRY RUSSELL, — DEFS TO ANSWER

et al, Defendant.(sic) — (Rule 7(b)(1)FRCP)

This matter having come before this Court upon application of Hon. Barry Russell (et. al.) the federal defendants, in their official capacity, by the United States Attorney for the District of Arizona, pursuant to Rule 7(b)(1), FRCP and good cause having been shown that this Court should act without Notice to the plaintiff, and good cause having been shown for enlarging the time for the federal defendants to answer the First Amended Complaint, it is hereby,

. . . . .

. . . . .

APPENDIX (SB)

[PAGE 1 Continued] ORDERED that the federal defendants shall have the time to answer the First Amended Complaint of plaintiff enlarged to sixty (60) days after this Court decides their [SEPT 08, 1985 FRCP 8(a)(e), 37(d), 41(b) C.D. no.4] Motion to Dismiss or [OCT 04, 1985 "28 USC 1391(b)(e)" C.D. no. 52] Motion to [PAGE 2] Change Venue, whichever is the later.

Dated this 8th day of October, 1985.

/s/Walter E. Craig

(WALTER E. CRAIG)

UNITED STATES DISTRICT JUDGE

oOo

APPENDIX (SB)

A-12

FILED FEB 13, 1990 (C.D. no.143)

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

GWENDOLYN L. KING, etc. Plaintiff, v. HON. BARRY RUSSELL, et al, Defendants.

CIV85-1698PHX-PGR (WEC)

ORDER OSC HEARING (USDC AZ L.R.38)

IT IS ORDERED that the plaintiff shall appear before this Court on Monday , February 26, 1990 at 1:30 p.m. in Courtroom No. 1 to show cause why this action should not be dismissed for lack of prosecution pursuant to [USDC AZ] Local Rule 38.

DATED February 12, 1990.

/s/Paul G. Rosenblatt

PAUL G ROSENBLATT

UNITED STATES DISTRICT JUDGE

[RECEIVED FEB 20, 1990 by GWENDOLYN L.KING. BY THIS ORDER, ALIAS SUMMONS ISSUED MAR 19, 1990, MAY 29, 1990,+1/AC SERVED IN 10 DAYS: BNKR R.7004(b)(d)(f), STATE, CITY,COUNTY.]

APPENDIX (SB)